

BUFFALO TRAIL WATER ASSOCIATION

P.S.C. KY. NO. _____

CANCELLING P.S.C. KY. NO. _____

BUFFALO TRAIL WATER ASSOCIATION, INC.

OF

P.O. BOX 6026

MAYSVILLE, KENTUCKY, 41056

RATES & CHARGES

AND

RULES & REGULATIONS

FOR FURNISHING

WATER SERVICE

AT

ROBERTSON COUNTY AND SOUTHWESTERN MASON COUNTY
KENTUCKY

FILED WITH THE

PUBLIC SERVICE COMMISSION

OF

KENTUCKY

SEP 15 2000

ISSUED _____, _____

EFFECTIVE _____, _____

ISSUED BY Buffalo Trail Water Association, Inc.

Name of Utility

BY

William L. Clay President

FOR Robertson and Mason County, Kentucky
Community, Town or City

P.S.C. KY. NO. _____

_____ SHEET NO. _____

Buffalo Trail Water Association
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

_____ SHEET NO. _____

CONTENTS

- I. RATES AND CHARGES
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 - B. Deposits
 - C. Meter Connection/Tap-on Charges
 - D. Special Non-recurring Charges
 - E. Wholesale Rates
- II. GENERAL RULES AND REGULATIONS
- III. FUTURE USE
- IV. DEPOSITS
- V. BILL FORMAT
- VI. MONITORING OF CUSTOMER USAGE
- VII. SPECIAL NON-RECURRING CHARGES

SEP 15 2000

DATE OF ISSUE _____ DATE EFFECTIVE _____
Month / Date / Year Month / Date / Year

ISSUED BY William L. Clay TITLE President
(Signature of Officer)

ISSUED BY THE AUTHORITY BY AN ORDER OF THE PUBLIC SERVICE COMMISSION OF KENTUCKY IN
CASE NO. _____ DATED _____.

FOR Robertson and Mason County, Kentucky
Community, Town or City

P.S.C. KY. NO. _____

_____ SHEET NO. _____

Buffalo Trail Water Association
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

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RATES & CHARGES

I. RATES AND CHARGES

A. MONTHLY RATES:

5/8" x 3/4" Meter

First 1,000 Gallons	\$13.96	Minimum Bill
Next 4,000 Gallons	5.41	Per 1,000 Gallons
Next 5,000 Gallons	3.61	Per 1,000 Gallons
Over 10,000 Gallons	3.16	Per 1,000 Gallons

3/4 Inch Meter

First 5,000 Gallons	\$35.60	Minimum Bill
Next 5,000 Gallons	3.61	Per 1,000 Gallons
Over 10,000 Gallons	3.16	Per 1,000 Gallons

1 Inch Meter

First 10,000 Gallons	\$53.65	Minimum Bill
Over 10,000 Gallons	3.16	Per 1,000 Gallons

1 1/2 Inch Meter

First 10,000 Gallons	\$69.45	Minimum Bill
Over 10,000 Gallons	3.16	Per 1,000 Gallons

2 Inch Meter

First 20,000 Gallons	\$85.25	Minimum Bill
Next 30,000 Gallons	3.16	Per 1,000 Gallons

Coin Operated Sales

First 1,000 Gallons	\$25.00	Minimum Bill
Over 1,000 Gallons	2.00	Per 1,000 Gallons

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RATES & CHARGES

B. DEPOSITS:

5/8" x 3/4" Meter	\$70.00
3/4 Inch Meter	\$70.00
1 Inch Meter	\$70.00
1 1/2 Inch Meter	\$70.00
2 Inch Meter	\$70.00

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RATES & CHARGES

C. METER CONNECTION/TAP-ON CHARGES:

5/8 Inch X 3/4 Inch

\$600.00

All Larger Meters require approval by the utility board and, if approved, will be installed at actual cost.

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PURSUANT TO 807 KAR 5.011,
SECTION 9 (1)
BY: Stephen D. Bell
SECRETARY OF THE COMMISSION

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RATES & CHARGES

D. SPECIAL NON-RECURRING CHARGES:

Connection Charge	\$5.00
Trip Charge	\$10.00
Late Payment Penalty Charge	10%
Association Membership Charge	\$10.00
Re-connection Charge	\$40.00
Returned Check Charge	\$25.00

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PURSUANT TO 807 KAR 5.011,
SECTION 9(1)
BY Stephen D. Buz
ATTORNEY OF THE COMMISSION

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RATES & CHARGES

E. WHOLESALE RATES:

Mt. Olivet Water Company

\$1.21 per 1,000 Gallons

Nicholas County Water District

\$1.81 per 1,000 Gallons

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RULES AND REGULATIONS

II. GENERAL RULES AND REGULATIONS

The following rules and regulations are subject to change by the Board of Directors at any time subject to approval by the Public Service Commission.

1. Meters shall be read monthly by the consumers on the 1st of the month and not later than the 10th of each month.
2. The office of the association is open for the first ten days of each month with a paid clerk for the purpose of receiving payment of bills.
3. All meters will be located on the property to be served, unless for some special reason. Otherwise, special permission must be granted by the Board of Directors.
4. Complaints may be made to the operator of the system and may be appealed to the Board of Directors.
5. Failure to pay water charges duly imposed results in these penalties:
 - A. Non-payment by 20th of month, a late payment penalty charge on the delinquent account.
 - B. Non-payment within 30 days from due date, water will be shut off.
 - C. Non-payment within 30 days from due date, association may purchase member's membership certificate and terminate his membership.
 - D. If water is shut off to consumer for delinquency or violation of any of the rules or regulations of the association, a reconnection charge will be assessed.
 - E. No consumer is ever to be reconnected at any location without first being paid up to date on all indebtedness to the corporation, including non-recurring charges.
6. Bills may be paid by mail.

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ISSUED BY William L. Clay
(Signature of Officer)

TITLE President

ADDRESS P.O. Box 6026, Maysville, KY 41056 and 41135 Highway 62, Mays Lick, KY 41055

FOR Robertson and Mason County, Kentucky
Community, Town or City

P.S.C. KY. NO. _____

_____ SHEET NO. _____

Buffalo Trail Water Association
(Name of Utility)

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_____ SHEET NO. _____

RULES AND REGULATIONS

7. When paying at the office, please bring your book so the stub can be properly stamped as your receipt.
8. Due to banking regulations, it is necessary for you to supply your own check. When remitting by mail, be sure to completely fill out both the stub and the one you send in. Your money order stub or canceled check is your receipt. Buffalo Trail Water Association, Inc. assumes no responsibility for cash sent through the mail. To avoid loss, please remit by check or money order. Also, bill should be paid in one name only – the head of the household in whose name the service is connected.
9. In accordance with 807 KAR 5:006, Section 12, any customer desiring service to be terminated or changed from one address to another shall give the utility three (3) working days' notice in person, in writing, or by telephone, provided such notice does not violate contractual obligations. The customer will not be responsible for charges for service beyond the three (3) day notice period if the customer provides proper notification and reasonable access to the meter during the notice period. If the customer notifies the utility of his/her request for termination by telephone, the burden of proof is on the customer to prove that service termination was requested if a dispute arises.
10. Upon request that service be reconnected at any premises subsequent to the initial installation or connection to its service lines, the utility will charge the applicant a reconnection charge as set out in this tariff and approved by the Public Service Commission.
11. The corporation is not authorized to and will not furnish or be responsible for any repairs beyond it's water meters.
12. Water bills may be paid by mailing the bill and remittance to P.O. Box #6026, Maysville, Kentucky, 41056. Also, bills may be paid in person at the Buffalo Trail Water Association, Inc., office located at 41135 Highway 62 in Mays Lick, Kentucky.

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PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)

BY Shirley D. Dwyer
ATTORNEY OF THE COMMISSION

DATE OF ISSUE _____
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ISSUED BY William L. Clay
(Signature of Officer)

TITLE President

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FOR Robertson and Mason County, Kentucky
Community, Town or City

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Buffalo Trail Water Association
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RULES AND REGULATIONS

III. Reserved for Future Use

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PURSUANT TO 807 KAR 6.011,
SECTION 9 (1)
BY: Stephen O. Bell
SECRETARY

DATE OF ISSUE _____
Month / Date / Year

DATE EFFECTIVE _____
Month / Date / Year

ISSUED BY William L. Clay
(Signature of Officer)

TITLE President

ADDRESS P.O. Box 6026, Maysville, KY 41056 and 41135 Highway 62, Mays Lick, KY 41055

FOR Robertson and Mason County, Kentucky
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Buffalo Trail Water Association
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RULES AND REGULATIONS

IV. DEPOSITS

The utility may require a minimum cash deposit or other guaranty to secure payment of bills except for customers qualifying for service reconnection pursuant to 807 KAR 5:006, Section 15, Winter Hardship Reconnection. Service may be refused or discontinued for failure to pay the requested deposit. Interest, as prescribed by KRS 278.460, will be paid annually either by refund or credit to the customer's bill, except that no refund or credit will be made if the customer's bill is delinquent on the anniversary date of the deposit.

The deposit may be waived upon a customer's showing of satisfactory credit or payment history, and required deposits will be returned after one (1) year if the customer has established a satisfactory payment record for that period. If a deposit has been waived or returned and the customer fails to maintain a satisfactory payment record, a deposit may then be required. The utility may require a deposit in addition to the initial deposit if the customer's classification of service changes or if there is a substantial change in usage. Upon termination of service, the deposit, any principal amounts, and any interest earned and owing will be credited to the final bill with any remainder refunded to the customer.

In determining whether a deposit will be required or waived, the following criteria will be considered:

1. Previous payment history with the utility. If the customer has no previous history with the utility, statements from other utilities, banks, etc. may be presented by the customer as evidence of good credit.
2. Whether the customer has an established income or line of credit.
3. Length of time the customer has resided or been located in the area.
4. Whether the customer owns property in the area.

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TITLE President

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Buffalo Trail Water Association
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RULES AND REGULATIONS

5. Whether another customer with a good payment history is willing to sign as a guarantor for an amount equal to the required deposit.

If a deposit is held longer than 18 months, the deposit will be recalculated at the customer's request based on the customer's actual usage. If the deposit on account differs from the recalculated amount by more than \$10.00 for a residential customer or 10 percent for a non-residential customer, the utility may collect any underpayment and shall refund any overpayment by check or credit to the customer's bill. No refund will be made if the customer's bill is delinquent at the time of the recalculation.

All customers will pay equal deposits in the amount set out in this tariff and approved by the Public Service Commission. The amount of the deposit will not exceed two-twelfths (2/12) of the average annual bill.

PUBLIC SERVICE COMMISSION
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PURSUANT TO 807 KAR 5011,
SECTION 9(1)
BY: Stephen D. Bay
SECRETARY OF THE PS COMMISSION

DATE OF ISSUE _____ DATE EFFECTIVE _____
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(Signature of Officer)

ADDRESS P.O. Box 6026, Maysville, KY 41056 and 41135 Highway 62, Mays Lick, KY 41055

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Buffalo Trail Water Association
(Name of Utility)

RULES AND REGULATIONS

V. BILL FORMAT

**BUFFALO TRAIL
WATER ASSOCIATION**

P.O. Box 26, Sardis, KY 41056
Ph: 606-763-6516 PSC Toll Free 1-800-772-4636
Robertson Co. Customers Call Collect 606-763-6516

Meters Read
On 20th Of
Each Month

DATE

20/____/20

Eddie Mofford
MAINTENANCE

Due Before 10th of Next Month

WATER

Present Reading

Previous Reading

Consumption

M Gals.

Amount of Bill

Ky. State Sales Tax

School (3%) Tax

Hydrant Fee

Past Due Bill

Penalty 10%

TOTAL NOW DUE

Rate Schedule Due Upon Request

If paid by check enclose this
stub to insure credit.

10% penalty if not paid by the
20th of the following month.

Mail Checks to:
Buffalo Trail
Water Association
Sardis, KY 41056

Water _____

Ky. 6% Tax _____

School
(3%) Tax _____

Hyd. Fee _____

Previous
Bill _____

Penalty _____

Balance
Due _____

Amount
Paid _____

Name

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PURSUANT TO 807 KAR 5011,
SECTION 6(1)

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ISSUED BY William L. Clay
(Signature of Officer)

TITLE President

ADDRESS P.O. Box 6026, Maysville, KY 41056 and 41135 Highway 62, Mays Lick, KY 41055

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RULES AND REGULATIONS

VI. MONITORING OF CUSTOMER USAGE

At least once annually the utility will monitor the usage of each customer according to the following procedure:

1. The customer's annual usage for the most recent 12-month period will be compared with the annual usage for the 12 months immediately preceding that period.
2. If the annual usage for the two periods are substantially the same or if any difference is known to be attributed to unique circumstances, such as unusual weather conditions, common to all customers, no further review will be done.
3. If the annual usages differ by 50 percent or more and cannot be attributed to a readily identified common cause, the utility will compare the customer's monthly usage records for the 12-month period with the monthly usage for the same months of the preceding year.
4. If the cause for the usage deviation cannot be determined from analysis of the customer's meter reading and billing records, the utility will contact the customer by telephone or in writing to determine whether there have been changes such as different number of household members or work staff, additional or different appliances, changes in business volume, or known leaks in the customer's service line.
5. Where the deviation is not otherwise explained, the utility will test the customer's meter to determine whether it shows an average error greater than 2 percent fast or slow.
6. The utility will notify the customers of the investigation, its finding, and any refunds or backbilling in accordance with 807 KAR 5:006, Section 10(4) and (5).

In addition to the annual monitoring, the utility will immediately investigate usage deviations brought to its attention as a result of its on-going meter reading or billing processes or customer inquiry.

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(Signature of Officer)

TITLE President

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SEP 15 2000

PURSUANT TO 807 KAR 5:011,
SECTION 10(4) AND (5),
EFFECTIVE

BY: STEWART B. BULL
COUNTY CLERK

FOR Robertson and Mason County, Kentucky
Community, Town or City

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RULES AND REGULATIONS

VII. SPECIAL NON-RECURRING CHARGES

1. Connection Charge: Will be assessed for new service turn-ons, seasonal turn-ons, or temporary service. The charge will not be made for initial installation of service when a meter connection/tap-on fee is charged.
2. Trip Charge: Will be assessed for the following:
 - A. When a utility representative visits the premises of the service connection for the purpose of collecting a delinquent account.
 - B. When a utility representative visits the premises of the service connection to read a meter when a consumer has failed to read and pay by the end of the month.
3. Late Payment Penalty Charge: Will be assessed on the delinquent amount of the bill, less taxes.
4. Reconnection Charge: Will be assessed to reconnect service that has been terminated for non-payment of service or for violation of Utility or Public Service Commission rules and regulations.
5. Returned Check Charge: Will be assessed if a check accepted for payment of a utility bill is not honored by the customer's financial institution.

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PURSUANT TO 507 KAR 5011,
SECTION 9 (1)

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ISSUED BY William L. Clay
(Signature of Officer)

TITLE President

RECEIVED

JUN 14 2001

PSC
FINANCIAL ANALYSIS

WATER SHORTAGE RESPONSE PLAN

BUFFALO TRAIL WATER ASSOCIATION.

Section 1. Purpose. The purpose of this Plan is to provide for the declaration of official phases of water supply shortages and the implementation of voluntary and mandatory water conservation measures throughout the Buffalo Trail Water Assoc. in the event a shortage is declared.

Section 2. Definitions. These terms are applicable only for this Plan unless specifically noted.

- (a) "Customer" shall mean any person or entity using water for any purpose from the Buffalo Trail Water Assoc. water distribution system and for which either a regular charge is made or, in the case of bulk sales, a cash charge is made at the site of delivery.
- (b) "Raw Water Supplies" shall mean all water potentially available to persons in the Buffalo Trail Water Assoc.
- (c) "Treated Water" shall mean water that has been introduced by the Buffalo Trail Water Assoc. into its water distribution system, including water offered for sale. Uses of treated water are classified as follows:

Essential Water Uses (Class 1):

The following uses of water, listed by site or user type, are essential.

Domestic:

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OF KENTUCKY
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water necessary to sustain human life and the lives of domestic pets, and to maintain minimum standards of hygiene and sanitation.

JUL 14 2001

Health Care Facilities:

- patient care and rehabilitation, including related filling and operation of swimming pools.

PURSUANT TO 807 KAR 5011,
SECTION 9(1)
BY Stephan B. Bue
SECRETARY OF THE COMMISSION

Water Hauling:

- sales of domestic use where not reasonably available elsewhere.

Public Use:

- firefighting,

- health and public protection purposes, if specifically approved by health officials.

Socially or Economically Important Uses (Class 2):

The following uses of water, listed by site or user type, are socially or economically important.

Domestic:

- personal, in-house water use including kitchen, bathroom and laundry.

Water Hauling:

- non-domestic, when other sources are not reasonably available elsewhere.

Commercial and Civic Use:

- commercial car and truck washes,
- laundromats
- restaurants, clubs and eating places.
- schools, churches, motels/hotels and similar commercial establishments.

Outdoor Non-Commercial Watering:

- minimal watering of vegetable gardens,
- minimal watering of trees where necessary to preserve them.

Outdoor Commercial or Public Watering (using conservation methods and when other sources of water are not available or feasible to use):

- agricultural irrigation for the production of food and fiber or the maintenance of livestock,
- watering by arboretums and public gardens of national, state, regional or community significance where necessary to preserve specimens,
- watering by commercial nurseries at a minimum level necessary to maintain stock,
- watering at a minimum rate necessary to establish or maintain revegetation or landscape plantings required pursuant to law or regulation,

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JUL 14 2001

PURSUANT TO 807 KAR 5.011,
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BY: Stephan Burt
SECRETARY OF THE COMMISSION

- watering of woody plants where necessary to preserve them,
- minimal watering of golf course greens.

Recreational:

- operation of municipal swimming pools and residential pools that serve more than 25 dwelling units.

Air Conditioning:

- refilling for startup at the beginning of the cooling season,
- makeup of water during the cooling season,
- refilling specifically approved by health officials where the system has been drained for health protection or repair services.

Non-Essential Uses (Class 3):

Any waste of water, as defined herein, is non-essential. The following uses of water, listed by site or user type, are non-essential.

Public Use:

- use of fire hydrants (excluding Class 1 and Class 2 uses), including use of sprinkler caps, testing fire apparatus and fire department drills,
- flushing of sewers and hydrants except as needed to ensure public health and safety as approved by health officials.

Commercial and Civic Use:

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PURSUANT TO 807 KAR 50.11,
SECTION 9(1)

BY: Stephan B. Bell
SECRETARY OF THE COMMISSION

- serving water in restaurants, clubs, or eating places, except by customer request,
- failure to repair a controllable leak,
- increasing water levels in scenic and recreational ponds and lakes, except for the minimum amount required to support fish and wildlife.

Ornamental Purposes:

- fountains, reflecting pools and artificial waterfalls.

Outdoor Non-Commercial Watering:

- - use of water for dirt control or compaction,
- watering of annual or non-woody plants, lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas,
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street.

Outdoor Commercial or Public Watering:

- expanding nursery facilities, placing new irrigated agricultural land in production, or planting of landscaping except when required by a site design review process,
- use of water for dirt control or compaction,
- watering of lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas,
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street.

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SECTION 9 (1)

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SECRETARY OF THE COMMISSION

Recreational uses other than those specified in Class 2.

Non-commercial washing of motor and other vehicles.

Air Conditioning (see also Class 2 purposes):

- refilling cooling towers after draining.

(d) "Base Entitlement" shall mean the monthly usage for a customer during the same month of the preceding calendar year or the average per customer usage for each class of service during the same month of the preceding year.

(e) "Curtailed Entitlement" shall mean the monthly usage for a customer after any curtailment percentage has been applied.

(f) "Curtailment" shall mean the reduction in entitlement by some percentage to meet anticipated water shortages.

(g) Water Shortage Response Phases:

"Advisory" shall mean that conditions exist which indicate the potential for serious raw or treated water supply shortages.

"Alert" shall mean the raw or treated water supplies are consistently below seasonal averages, and if they continue to decline, may not be adequate to meet normal needs.

"Emergency" shall mean that raw or treated water supplies are below the level necessary to meet normal needs and that serious shortages exist in the area.

"Rationing" shall mean that procedures must be established to provide for the equitable distribution of critically-limited raw or treated water supplies, in order to balance demand and limited available supplies, and to assure that sufficient water is available to preserve public health and safety.

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PURSUANT TO 807 KAR 5:011
SECTION 9(1)

BY Stephan D. Bee
SECRETARY OF THE COMMISSION

Section 3. Applicability. The provisions of this Plan shall apply to all retail and wholesale customers of the Buffalo Trail Water Association. When implemented, this Plan becomes Buffalo Trail Water Water Shortage Response Regulation.

Section 4. Entitlements. Entitlements shall be established for each customer by adjusting the base entitlement to reflect any known change in usage pattern.

Section 5. Determination of Water Shortage. Water supply and usage shall be monitored on a continuous basis. Unrestricted demand shall be projected from past records and adjusted for changes such as new developments and weather conditions on a regular basis. (Note: A sample calculation page is attached as Appendix A to assist in determining overall water levels. It is important that accurate water measurements be used.) Water shortages generally occur for two reasons, a reduction in available supplies or a system failure. Each of these has a distinct influence on the nature and duration of the conservation program implemented. Official declaration of a water shortage stage and implementation of the measures necessary to curtail water use shall be approved by the Mason Co. fiscal Court & Buffalo Trail Water Assoc.

Section 6. Term of Water Shortage Declaration. Any water shortage declaration shall remain in effect until water supplies of service conditions have returned to normal. A final determination as to terminating a water shortage declaration shall be made by the Chairman of Buffalo Trail Water Assoc.

Section 7. Water Shortage Stage, Criteria, Conservation and Curtailment Measures.

A. Advisory Stage:

- (1) Criteria: A water advisory shall be declared when the amount of treated water or raw water available for treatment is projected to be up to 10% below demand, or there are periods of low water pressure in one or more areas of the distribution system due to system failure or inadequacies or the State Division of Water issues a Water Shortage Watch which includes the areas from which the Buffalo Trail Water Assoc. draws water. (Note: Additional conditions may be added based on local conditions.)
- (2) Conservation and Curtailment Measures:
 - (a) Declare a Water Shortage Advisory.
 - (b) Provide proper notice to all customers and to all local news media.
 - (c) Eliminate all water leaks.
 - (d) Request voluntary conservation of all non-essential (Class 3) water use.
 - (e) Request wholesale customers also issue request for voluntary conservation by their customers of all non-essential (Class 3) water use.

B. Alert Stage:

- (1) Criteria: A water alert shall be declared when the amount of treated water available is projected to be up to 20% below demand, or raw water supplies are consistently below seasonal averages and if they continue to decline, may not be adequate to meet normal needs. (Note: Additional conditions may be added based on local conditions.)

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(2) Conservation and Curtailment Measures:

- (a) Declare Water Shortage Alert.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all non-essential (Class 3) water uses.

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- (e) Curtail entitlements to all customers by the same percentage as the projected shortage.
- (f) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of \$3.00 per 1,000 gallons.

C. Emergency Stage:

1. Criteria: A Water Emergency shall be declared when the amount of treated water available is projected to be up to 30% below demand, or there are periods of no water in one or more areas of the distribution system due to low water supply or raw water supplies below the level necessary to meet normal needs. (Note: Additional conditions may be added based on local conditions.)
2. Conservation and Curtailment Measures:
 - (a) Declare Water Shortage Emergency.
 - (b) Provide proper notice to all customers and to all local news media.
 - (c) Eliminate all water leaks.
 - (d) Prohibit all Class 3 uses of water.
 - (e) Prohibit all Class 2 uses of water except Domestic uses for kitchens, bathrooms and laundries.
 - (f) Curtail all commercial and industrial entitlements (except Health Care Facilities) by 100%.
 - (g) Curtail Residential entitlements by the same percentage as the projected shortage.
 - (h) Curtail entitlements to all wholesale customers by the same percentage as the projected shortage.
 - (i) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of \$7.00 per 1,000 gallons.

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D. Rationing Stage:

1. Criteria: Treated water available is greater than 40% below demand or raw water supplies are below

- the level necessary to meet essential needs, and in the opinion of Buffalo Trail Water Assoc mandatory rationing is required to insure adequate water is available to maintain public health and safety.

2. Conservation and Curtailment Measures:

- (a) Declare Water Shortage Rationing.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all Class 3 and Class 2 uses of water.
- (e) Curtail all commercial and industrial entitlement (except Health Care Facilities) by 100%.
- (f) Curtail all residential and wholesale entitlements by the same percentage as the projected shortage.
- (g) Implement service interruptions to portions of system in accordance with approved published schedule. The schedule shall be provided to all local media.
- (h) Begin billing customer water usage in excess of curtailment entitlement at the normal rate plus an excess usage charge of \$15.00 per 1,000 gallons.

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Section 8. Enforcement of Water Restriction. Any person who violates the provisions of this Plan, who fails to carry out the duties and responsibilities imposed by this Plan, or who impedes or interferes with any action undertaken or ordered pursuant to this Plan shall be subject to the following:

- (a) If the utility official charged with implementation and enforcement of this Plan learns of any violation of any water use restriction imposed, a written notice of the violation shall be affixed to the property where the violation occurred and mailed to the customer of record. Said notice shall describe the violation and order that it be corrected, cured, or abated immediately or within 48 hours.
- (b) The notice will inform the customer of his or her right to appeal by requesting a hearing before the utility's designee. If a hearing is requested by the customer, he or she shall be given full opportunity to be heard

before termination. The governing body shall make findings of fact and decide whether service should continue or terminate.

- (c) Any customer whose water service is terminated for violating provisions of this water curtailment plan shall be subject to the approved reconnection fee prior to reconnection of service.
- (d) The excess usage charge billing provisions of this Plan shall not be put in effect if a county or city ordinance containing penalty provisions is in effect to assist enforcement of this Plan.

Section 9. Request for Exception.

- (a) Exception to water use restrictions: If compliance with any curtailment measure authorized herein would cause a customer to bear extraordinary hardship, that individual or entity may apply to the Buffalo Trail Water Assoc.. for an exception. For these purposes, "extraordinary hardship" shall be defined as a condition which may threaten health and safety, or cause property or economic losses, each of which must be shown to be substantially more severe than the sacrifices borne by other users. If extraordinary hardship is found to exist, then an exception shall be granted and a written waiver issued to the customer. If an appeal is made, water service shall be continued until a decision is announced. Any person aggrieved by the decision may file a complaint with the Public Service Commission.
- (b) Exception to curtailment surcharge: Exceptions to excess use charges shall not be considered or granted.

Section 10. Severability. If any provision of this Plan is declared invalid by the courts, the remainder of the Plan and its applicability to other persons and circumstances shall not be affected by that declaration.

Section 11. Effective Date. This Plan shall take effect immediately upon approval by the Public Service Commission.

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